

**14A.3-040 Name of foreign entity. (Effective January 1, 2011)**

- (1) If the real name of a foreign entity does not satisfy the requirements of KRS 14A.3-010 as would apply were the foreign entity organized in this Commonwealth, the foreign entity seeking to obtain or maintain a certificate of authority to transact business in this Commonwealth:
  - (a) May use a fictitious name to transact business in this Commonwealth if its real name is not distinguishable from any name of record with the Secretary of State; or
  - (b) May supplement its name with such identifier as would be appropriate under KRS 14A.3-010 were the foreign entity organized in this Commonwealth.
- (2) Except as authorized by KRS 14A.3-010(14) and (15), the real or fictitious name of a foreign entity shall be distinguishable upon the records of the Secretary of State from any name of record with the Secretary of State.
- (3) If a foreign entity authorized to transact business in this Commonwealth changes its real name to one that does not satisfy the requirements of KRS 14A.3-010, it shall not transact business in this Commonwealth under the changed name until it adopts a fictitious name satisfying the requirements of KRS 14A.3-010 and obtains an amended certificate of authority in accordance with KRS 14A.9-040.

**Effective:** January 1, 2011

**History:** Created 2010 Ky. Acts ch. 151, sec. 26, effective January 1, 2011.